**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARVEL CHARACTERS, INC., Plaintiff, v. LAWRENCE D. LIEBER, Defendant.	Case No.: 1:21-cv-7955-LAK and consolidated cases 21-cv-7957-LAK and 21-cv-7959-LAK
LAWRENCE D. LIEBER, Counterclaimant, v. MARVEL CHARACTERS, INC., and DOES 1-10, inclusive, Counterclaim-Defendants.	**JOINT STIPULATION AND [PROPOSED] ORDER REGARDING SUBPOENAS AND SUBPOENA RESPONSES**
MARVEL CHARACTERS, INC., Plaintiff, v. PATRICK S. DITKO, in his capacity as Administrator of the Estate of Stephen J. Ditko, Defendant.	
PATRICK S. DITKO, in his capacity as Administrator of the Estate of Stephen J. Ditko, Counterclaimant, v. MARVEL CHARACTERS, INC. and DOES 1-10, inclusive, Counterclaim-Defendants.	

MARVEL CHARACTERS, INC.,

                Plaintiff,

      v.

KEITH A. DETTWILER, in his capacity as Executor of the Estate of Donald L. Heck,

                Defendant.

KEITH A. DETTWILER, in his capacity as Executor of the Estate of Donald L. Heck

                Counterclaimant,

      v.

MARVEL CHARACTERS, INC. and DOES 1-10, inclusive,

                Counterclaim-Defendants.

STIPULATION

Plaintiff and Counterclaim-Defendant Marvel Characters, Inc. and Defendants and Counterclaimants Lawrence D. Lieber, Patrick S. Ditko, and Keith A. Dettwiler (collectively, the "Parties") stipulate as follows:

WHEREAS, four other actions are currently pending in this Court and the United States District Courts for the Eastern District of New York and the Central District of California: *Marvel Characters, Inc. v. Ditko*, No. 1:21-cv-07957-LAK (S.D.N.Y.); *Marvel Characters, Inc. v. Dettwiler*, No. 1:21-cv-07959-LAK (S.D.N.Y.)[1]; *Marvel Characters, Inc. v. Solo*, No. 1:21-cv-05316-DG-TAM (E.D.N.Y.); and *Marvel Characters, Inc. v. Hart-Rico*, No. 2:21-cv-07624-DMG-KES (C.D. Cal.) (together with the above-captioned action, the "Pending Actions").

WHEREAS, the Parties expect third-party witnesses to have information relevant to the Pending Actions.

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[1] On March 25, 2022, the Court consolidated the three cases in this jurisdiction for all pretrial purposes. *See* Order (ECF No. 38), *Marvel Characters, Inc. v. Lieber*, No. 1:21-cv-07955-LAK (S.D.N.Y.); Order (ECF No. 30), *Marvel Characters, Inc. v. Ditko*, No. 1:21-cv-07957-LAK (S.D.N.Y.); Order (ECF No. 36), *Marvel Characters, Inc. v. Dettwiler*, No. 1:21-cv-07959-LAK (S.D.N.Y.).

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WHEREAS, the Parties agree that third-party discovery in the Pending Actions should be conducted in an efficient manner, so as to reduce the burden both to the Parties and third parties.

Based on the foregoing, **IT IS HEREBY STIPULATED** by and between the Parties, through their respective counsel of record, subject to the Court's approval, that:

1.   Any third-party subpoena and related notice of subpoena served in any of the Pending Actions shall be deemed served in all the Pending Actions.

2.   All responses served, documents produced, and/or testimony provided in any of the Pending Actions in response to any such third-party subpoena shall likewise be deemed served, produced, and/or provided in all the Pending Actions.

Dated: April 18, 2022   **O'MELVENY & MYERS LLP**

By: */s/ Daniel M. Petrocelli*
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Attorneys for Marvel Characters, Inc.

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Dated: April 18, 2022   **TOBEROFF & ASSOCIATES, P.C.**

By: */s/ Marc Toberoff*
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Ditko, and Keith A. Dettwiler*

SO ORDERED:

_____
Hon. Lewis A. Kaplan
United States District Judge

DATE:_____